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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 GERALDINE BURKE,

11 Plaintiff,

12 v.

13 PROFESSIONAL
14 TRANSPORTATION, INC.,

15 Defendant.

CASE NO. C18-0081JLR

ORDER STRIKING MOTION TO
COMPEL

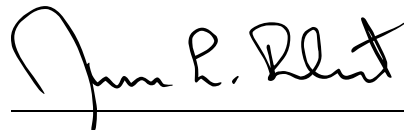
16 Before the court is Plaintiff Geraldine Burke's motion to compel discovery. (Mot.
17 (Dkt # 34).) The court STRIKES the motion without prejudice to refiling in conformity
18 with the Federal Rules of Civil Procedure, the court's Local Civil Rules, and the court's
19 prior orders in this matter.

20 First, Ms. Burke filed her motion without initially requesting a conference with the
21 court. (See Dkt.) The motion therefore contravenes the court's April 9, 2018, scheduling
22 order. (See Sched. Order (Dkt. # 15) at 2 (citing Fed. R. Civ. P. 16(b)(3)(B)(v))

1 (“[P]ursuant to Federal Rule of Civil Procedure 16, the Court ‘direct[s] that before
2 moving for an order relating to discovery, the movant must request a conference with the
3 court’ by notifying [the courtroom deputy]” (second alteration in original)); *see*
4 *also* Fed. R. Civ. P. 16(b)(3)(B)(v) (permitting the court, in its scheduling order, to
5 “direct that before moving for an order relating to discovery, the movant must request a
6 conference with the court”).

7 Second, the court’s scheduling order set a deadline of January 25, 2019, for the
8 filing of all motions related to discovery. (*See* Sched. Order at 2.) Therefore, to file such
9 a motion after this deadline, Ms. Burke must first demonstrate good cause for modifying
10 the court’s scheduling order and seek the court’s consent. *See* Fed. R. Civ. P. 16(b)(4)
11 (“A schedule may be modified only for good cause and with the judge’s consent.”) Ms.
12 Burke has done neither here. (*See generally* Dkt.; *see also* Mot.) The court therefore
13 STRIKES Ms. Burke’s motion to compel discovery (Dkt. # 34) without prejudice to
14 renewing the motion in a manner that comports with the Federal Rules of Civil
15 Procedure, the court’s Local Civil Rules, and prior orders of this court.

16 Dated this 8th day of March, 2019.

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19 JAMES L. ROBART
20 United States District Judge
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